

Before the
Federal Communications Commission
Washington, D.C. 20554

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| In The Matter of |) | |
| |) | RM 9208 |
| Petition for a Microstation |) | |
| Radio Broadcasting Service |) | |

Additional Reply Comments

The following reply comments, supplementing the May 6, 1998 reply comments, are submitted by the petitioners in response to comments made by: the National Association of Broadcasters, the named State Broadcasters Associations in Fisher, Wayland, Cooper, Leader, & Zaragoza, L.L.P. comments (April 27, 1998), Greater Media, Inc., National Public Radio, Inc., Press Communications LLC, and Roger Skinner.

On the matter of incompetence. Competence is not determined by the desire of the opposing parties, it is also not dictated by flaming rhetoric, it is dictated by facts, science, law, and the knowledge thereof. There has been a considerable amount of 'flaming rhetoric' from the above parties and a surprising lack of either technical data, and /or science, and/or facts.

We understand that it is in the established industry's perceived short-term best interest to maintain the status quo. We also understand that they see no need to upgrade either their technology or their position since they are doing quite well financially as they are. We question whether maintaining the 'best interest' of the industry, as presently constituted, is in the best interest of this country.

We applaud their charitable fund raising and accept that they provide a valuable service. However, they are not serving the local communities the way a microstation radio service would serve it.

We question their hostile attitude towards a microstation service that could easily provide them with a valuable source of both trained personnel and a proving ground for experimental programming.

As to current programming being the 'best'. It becomes rather clear that this is not the

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case. If it were, there would not be the large number of complaints that prompted the petitioners to put in for a notice of inquiry in the first place.

There is a need for a radio service that provides a focal point for a neighborhood, a small town, a district. A service that provides the police with a way of communicating with that area on a non-emergency basis, provides a variety of local information, and allows for an airing of grievances.

The Internet is not a viable substitute. Most citizens do not own a personal computer. Nor is it appropriate to expect the neighborhoods that would most benefit from a microstation service to have to acquire personal computers in order to air and receive their music, grievances, and opinions. The mere suggestion that it is appropriate is the rankest form of class bias and prejudice.


The comments made by the commenters cited above did not address a disquieting tenor in the attitude of the current broadcast providers; that attitude that the public has no right to air their views, music, grievances, etc. except where permitted by the current broadcast system. An attitude that has encouraged pirate radio broadcasting. That attitude has no place in a democracy where the citizen should be encouraged to participate in governing. What is also disquieting is the attitude that a system is of no merit simply because it might conceivably provide some competition to the status quo.

In closing, the words; chaos, anarchy, incompetent, and impossible should be used with great care and greater judiciousness. On one hand it smacks of 'the sky is falling' and on the other hand weakens the case that is being presented.

Respectfully submitted,

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Attorney Donald J. Schellhardt was unavailable at the time these reply comments were finalized. Judith Fielder Leggett was given express permission to sign these reply comments on his behalf.

Copies of these additional comments are being sent to all parties who serviced us with their comments.

Dated: May 21, 1998
May 21, 1998